

**UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE**

U.S.A. vs. Billy Joe Griffith

Docket No. 0650 3:12CR00076 - 8

Petition for Action on Conditions of Pretrial Release

COMES NOW Dariel S Blackledge-White, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Billy Joe Griffith who was placed under pretrial release supervision by the Honorable Juliet E. Griffin, U.S. Magistrate Judge sitting in the Court at Nashville, Tennessee, on June 22, 2012, under the following conditions: Please reference the attached Order Setting Conditions of Release.

Respectfully presenting petition for action of Court and for cause as follows:
Please reference page two of this document.

I declare under penalty of perjury that the foregoing is true and correct.

Daniel S Blackledge-White *[Signature]* Nashville, TN September 30, 2014
U.S. Pretrial Services Officer Place: Date:
Next Scheduled Court Event **Sentencing Hearing** February 23, 2015
Event Date

PETITIONING THE COURT

No Action To issue an order setting a hearing on the petition
 To Issue a Warrant Other

THE COURT ORDERS:

No Action *at this time*
 The Issuance of a Warrant

- The issuance of a warrant:
 - Sealed Pending Warrant Execution
(cc: U.S. Probation and U.S. Marshals only)
 - Other

A Hearing on the Petition is set for

Date

Time

Considered and ordered this 1 day
of Oct, 2014, and ordered filed
and made a part of the records in the above
case.

Honorable Todd J. Campbell
U.S. District Judge

Honorable Todd J. Campbell
Petition for Action on
GRIFFITH, Billy Joe
Case No. 3:12-CR-00076-08
September 30, 2014

On June 21, 2012, the above referenced defendant was arrested in the Middle District of Tennessee, on a three-count Superseding Indictment which charged him with the following count, to wit: Count One, Conspiracy to Distribute and Dispense Controlled Substances Not for a Legitimate Medical Purpose and Not in Usual Course of Professional Medical Practice, in violation of 21 U.S.C. §§ 841(a)(1) and 846.

On the same date, Mr. Griffith appeared before U.S. Magistrate Judge Juliet E. Griffin for an Initial Appearance. The Government sought detention, and an expedited detention hearing was scheduled for June 22, 2012.

On June 22, 2012, the defendant appeared before the Court, and both parties presented proof. The Court determined there were conditions that would allow for the defendant's release and thus, Mr. Griffith was ordered released on a personal recognizance bond with pretrial supervision. His mother, Reva Jackson, was appointed as the defendant's third-party custodian.

Special Conditions of Release:

Please reference the attached Order Setting Conditions of Release.

VIOLATION(S):

Violation No. 1: Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner; defendant shall notify Pretrial Services of any medication prescribed by a physician.

On September 11, 2014, the defendant reported to the U.S. Probation and Pretrial Services Office and submitted a urinalysis which was sent to Alere Laboratories (Alere), located in Gretna, Louisiana. Mr. Griffith admitted that approximately three days before he submitted the urine sample, he consumed unidentified pain pills that he obtained from his friend subsequent to a knee injury. Also, the defendant related that he recently smoked marijuana after he experienced anxiety attack while thinking about his pending sentencing hearing. On September 17, 2014, Alere confirmed the specimen was positive for the presence of marijuana and buprenorphine.

Current Status of Case:

The sentencing hearing in this case has been rescheduled for February 23, 2015, at 3:30 p.m.

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GRIFFITH, Billy Joe
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Probation Officer Action:

When the defendant was initially placed on pretrial supervision, he was also under supervision of the DeKalb County Drug Court. This supervision was overseen by Community Probation Services, located in Smithville, Tennessee. According to the defendant's probation officer, he complied with the conditions of drug court and successfully completed the program in March 2014.

Subsequent to the defendant's submission of a positive urine screen and admitted drug use, he was verbally reprimanded. Mr. Griffith indicated he was worried about receiving a federal custody sentence and thus, he smoked marijuana. As it relates to consumption of buprenorphine, the defendant said he sustained a knee injury and then received prescription pain pills from an unidentified friend. He indicated he was unaware what type of tablets he ingested. Defendant Griffith denied any substance abuse issues, and he opined he simply "messed up." Initially, the defendant declined substance abuse treatment, but he later stated he would attend if it would prevent revocation of his bond.

Mr. Griffith was placed in Phase 10 of the U.S. Probation Office's Code-a-Phone program, a program whereby defendants call daily to ascertain whether they need to report to the U.S. Probation and Pretrial Services Office to submit a urine screen.

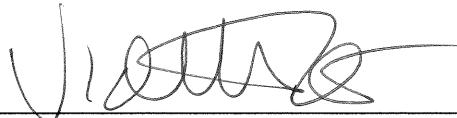
At the conclusion of this meeting, the defendant requested some time to discuss whether he would participate in substance abuse treatment with his family and defense counsel. This officer requested the defendant contact said officer to verify his desire to participate in drug treatment.

On September 23, 2014, this officer left a voicemail message for the defendant and requested a return phone call. As of this writing, Mr. Griffith has failed to confirm he is amenable to substance abuse treatment services.

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Respectfully Petitioning the Court as Follows:

Although the defendant tested positive for marijuana and buprenorphine, he has not expressed a desire to participate in substance abuse treatment. Therefore, Pretrial Services respectfully requests that Mr. Griffith be ordered to appear before the Court to show cause as to why his bond should not be revoked. Assistant United States Attorney Brent Hannafan has been advised of the violation.



Vidette A. Putman
Supervisory U.S. Probation Officer

xc: Brent Hannafan, Assistant U.S. Attorney
Kenneth D. Quillen, Defense Counsel

Enclosures

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA v. BILLY GRIFFITH

CASE NO.: 3:12-cr-00076

RELEASE ORDER AND CONDITIONS OF RELEASE

Defendant is released on his/her own recognizance, no appearance bond shall be posted, and the following ~~statutorily required standard~~ conditions of release are hereby imposed:

Defendant shall be released on a non-surety bond in the amount of _____, no security or monies shall be required for defendant to be released, and the following conditions of release are hereby imposed:

Defendant shall be released on a non-surety bond in the amount of _____ cash in the amount of _____ shall be posted to the Clerk of Court, or such other security as listed below, and the following conditions of release are hereby imposed:

Defendant shall be released on a surety bond as described below:

Defendant shall remain on the conditions of supervised release that have been previously imposed by the District Judge. In addition, defendant shall abide by the following conditions:

WHILE ON RELEASE, I FULLY UNDERSTAND:

- 1) I may not change my address or move without permission of the Court. My correct address has been provided to Pretrial Services.
- 2) I must be in Court each and every time I am instructed to be there, and surrender to serve any sentence imposed.
- 3) I cannot intimidate or harass any witness, victim, informant, juror or officer of the Court; I cannot obstruct any criminal investigation.
- 4) I must not violate any local, state or federal law. If I do, I could be punished by as much as from 90 days to 10 years imprisonment in addition to the penalty provided for the offense committed.

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA v. BILLY GRIFFITH

CASE NO.: 3:12-cr-00076

- 5) If I violate any condition of release, a warrant for my arrest could be issued, any bond I signed may be forfeited, and new bonds with additional conditions, or my detention until trial, could be ordered by the Court, and I could be held in contempt of Court. BG
- 6) If I fail to appear at any proceeding in this case or I fail to surrender to serve any sentence imposed, I could be charged and convicted of bail jumping which is punishable by, in some cases, as much as 10 years imprisonment and/or a fine, in addition to any other punishments imposed in the original case. BG
- 7) This special condition or conditions:

A. Defendant shall report to Pretrial Services as directed BG

B. Defendant shall maintain or actively seek verifiable employment BG

C. Defendant shall participate in an evaluation to assess the presence, nature and severity of a substance abuse problem BG

D. Defendant shall not have in his possession (on his person, in his home, in his vehicle, at his place of work) any firearms, ammunition, or other dangerous weapon

BG

E. Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner; defendant shall notify Pretrial Services of any medication prescribed by a physician BG

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

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F. Defendant shall submit to any method of testing required by the Pretrial Services Office for determining whether the defendant is using a prohibited substance, such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing BG

G. Defendant shall participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed appropriate by the Pretrial Services Officer, any inpatient treatment may be followed by up to 90 days in a halfway house BG

H. Defendant shall refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release BG

I. Defendant shall identify his primary care medical practitioner, and not seek any controlled substances from another doctor without referral by his primary care physician, except for medical emergencies; defendant shall report all prescriptions issued to him to his Pretrial Services Officer BG

J. Defendant shall report as soon as possible, within 48 hours, to the supervising officer, any contact with any law enforcement personnel, including, but not limited to any arrest, questioning, or traffic stop BG

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MIDDLE DISTRICT OF TENNESSEE

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K. Defendant shall allow a Probation/Pretrial Services Officer to visit at any time at home or elsewhere and confiscate any contraband observed in plain view BG

L. Defendant shall have no contact with any co-defendant in this case, except for contact necessary during working hours with defendant Jeffrey Johnson and such contact shall not include any communication about this case BG BG

M. Defendant shall be in the third party custody of Reva Jackson BG

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I acknowledge I have read this Order. I understand that I will receive a copy of it and any Appearance Bond that the Court has ordered at the conclusion of this hearing.

Date: June 22, 2012

Billy Griffith
Defendant

Billy Griffith

It is ORDERED that the conditions listed above are imposed. 18 U.S.C. § 3142.

Juliet Griffin
UNITED STATES MAGISTRATE JUDGE

The Middle District of Tennessee consists of the following counties: Cannon, Cheatham, Clay, Cumberland, Davidson, DeKalb, Dickson, Fentress, Giles, Hickman, Houston, Humphreys, Jackson, Lawrence, Lewis, Macon, Marshall, Maury, Montgomery, Overton, Pickett, Putnam, Robertson, Rutherford, Smith, Stewart, Sumner, Trousdale, Wayne, White, Williamson and Wilson.

The following are pertinent Middle District of Tennessee numbers (Area Code 615):

U.S. Magistrate Judge Juliet Griffin	- 736-5164
U.S. Magistrate Judge Joe B. Brown	- 736-7052
U.S. Magistrate Judge E. Clifton Knowles	- 736-7347
U.S. Magistrate Judge John S. Bryant	- 736-5878
Clerk of Court	- 736-5498
U.S. Marshal	- 736-5417
U.S. Attorney	- 736-5151
U.S. Probation	- 736-5771
Federal Public Defender	- 736-5047

The United States District Court in Nashville is located in the United States Courthouse, 801 Broadway, at the corner of Eighth and Broad. The Court in Cookeville is located at 9 East Broad Street. The Court in Columbia is located at 816 South Garden Street.

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NO. 3:12-00076

ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release to a third-party custodian will assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the following condition:

The defendant is placed in the third-party custody of:

(Name of Persons) Reva Jackson

(Street Address) 9659 Short Mountain Rd.

(City, State, Zip Code) Smithville, TN 37166

(Tel. Nos., Work and Home) Work:
Home: 615-563-7121
Cell: 615-962-3081

who agree(s) (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the Court immediately in the event the defendant violates any condition of release or disappears.

By affixing my(our) signatures hereto, I(we), the above-designated third-party custodian(s), understand that my(our) failure to abide by this agreement may subject me(us) to contempt of court proceedings.

June 22, 2012 Reva D. Jackson
Date Third-Party Custodian

Third-Party Custodian

It is so ORDERED.

John S. Giffith
UNITED STATES MAGISTRATE JUDGE



Drug Test Report

1111 Newton Street

Gretna, LA 70053

(800) 433-3823 - (504) 361-8989

FAX: (504) 361-8298

TENNESSEE MIDDLE - PRETRIAL NASHVILLE
WILLIAM LORD
110 NINTH AVENUE SOUTH
SUITE A725
NASHVILLE, TN 37203

Facility Phone: 615-736-5771 Fax: 615-736-5519

Account Number: 06500001S
Div. Office Number: 06500001S
National Lab Number: 43111336
Specimen ID Number: B02550902
Specimen Type: URINE

Collection Site Number: 06500001S

PACTS Number: 23616

Collection Site Name: TENNESSEE MIDDLE PRETRIAL-NASHVILLE

Onsite Test ID:

Collection Site Address: 110 NINTH AVENUE SOUTH

Case Officer Initials: DBW

Collection Site City, State Zip: NASHVILLE, TN 37203

Collector Name

Collection Site Phone: 615-736-5771

PETTIT

Collection Site Fax: 000-000-0000

Donor Name/ID: GRIFFITH

Date Collected: 9/11/2014

Date Received: 9/15/2014

Date Reported: 9/17/2014

Reason for Drug Test: URINE SURVEILLANCE

Panel Description: CLIN 1098 - THC CONF

<u>Drug Test Result</u>	<u>Drug/Remark</u>	<u>Quantitative Value</u>
POSITIVE	MARIJUANA METABOLITE	

Confirmation Method: GC/MS and/or LC-MS/MS

The following drugs and/or drug classes were tested at the indicated threshold (cut-off) levels:

<u>Description</u>	<u>Screening Level</u>	<u>Confirmation Level</u>	<u>Result</u>
MARIJUANA METABOLITE		15 ng/ml	POSITIVE

POSITIVE

Comments MULTIPLE REPORTS ARE BEING ISSUED ON THIS SPECIMEN WITH LAB NUMBERS :43111336,43111337.

PETTIT

TRIANDA SPRIGGENS - CERTIFYING TECHNICIAN/SCIENTIST

COLLECTOR NAME



Drug Test Report

1111 Newton Street

Gretna, LA 70053

(800) 433-3823 - (504) 361-8989

FAX: (504) 361-8298

TENNESSEE MIDDLE - PRETRIAL NASHVILLE
WILLIAM LORD
110 NINTH AVENUE SOUTH
SUITE A725
NASHVILLE, TN 37203

Facility Phone: 615-736-5771 Fax: 615-736-5519

Account Number: 06500001S
Div. Office Number: 06500001S
National Lab Number: 43111337
Specimen ID Number: B02550902
Specimen Type: URINE

Collection Site Number: 06500001S

PACTS Number: 23616

Collection Site Name: TENNESSEE MIDDLE PRETRIAL-NASHVILLE

Onsite Test ID:

Collection Site Address: 110 NINTH AVENUE SOUTH

Case Officer Initials: DBW

Collection Site City, State Zip: NASHVILLE, TN 37203

Collector Name

Collection Site Phone: 615-736-5771

PETTIT

Collection Site Fax: 000-000-0000

Donor Name/ID: GRIFFITH

Date Collected: 9/11/2014

Reason for Drug Test: URINE SURVEILLANCE

Date Received: 9/15/2014

Date Reported: 9/16/2014

Panel Description: CLIN 1171 & CLIN 1097 - BUPRENORPHINE

<u>Drug Test Result</u>	<u>Drug/Remark</u>	<u>Quantitative Value</u>
POSITIVE	BUPRENORPHINE (SUBOXONE) NORBUPRENORPHINE	

Confirmation Method: GC/MS and/or LC-MS/MS

The following drugs and/or drug classes were tested at the indicated threshold (cut-off) levels:

<u>Description</u>	<u>Screening Level</u>	<u>Confirmation Level</u>	<u>Result</u>
BUPRENORPHINE (SUBOXONE)*	5 ng/ml	5 ng/ml	POSITIVE

POSITIVE

* - Testing Performed by LC-MS/MS

Comments MULTIPLE REPORTS ARE BEING ISSUED ON THIS SPECIMEN WITH LAB NUMBERS :43111336,43111337.


GEORGE DORSEY - CERTIFYING TECHNICIAN/SCIENTIST

PETTIT

COLLECTOR NAME



Alere Toxicology Services, Inc.
1111 Newton St., Gretna, LA 70056
(504) 361-8989 (800) 433-3823

Chain of Custody for Drug Analysis
Federal Pretrial Services



Results Name & Address

TENNESSEE MIDDLE...
- PRETRIAL NA
110 NINTH AVENUE SOUTH
SUITE A725
NASHVILLE, TN 37203

065000018

Specimen Number: B02550902

Account Number: 065000018

Tests Ordered (Check all that apply)

Primary Test Panel Secondary Test Panel Special Test Panel
 Confirmation Only (specify) THC
 Individual Special Tests (specify) Bup

SPECIMEN ID INFORMATION

Case Officer Initials

D BW

Date Collected

09/11/14

Collector's Name

Pettit

01 Officer

02 Treatment Program

03 Other DPA

Offender/Defendant Last Name

Griffith

First Name

Billy

PACTS No.

23616

Onsite/Test ID

Reason For Specimen

01 Presentence Report
 04 Urine Surveillance

02 Substance Abuse Treatment
 05 Pretrial Report

03 Mental Health Treatment
 06 Other (specify) _____

MEDICAL QUESTIONNAIRE

Medicine(s) Name

Reason for Use

Date Used

Offender/Defendant Certification

I certify the specimen I have provided on this date is my own and has not been adulterated. The specimen bottle was sealed in my presence. I have verified that the specimen number on the form, the barcode, and the specimen security seal are identical.

Billy C. Pettit 9-11-14
Offender/Defendant Signature Date

Specimen Collector Certification

I certify I collected the specimen identified by the specimen number on this form in accordance with the required collection procedures. I certify I applied the numbered security seal and barcode to the specimen bottle in the offender/defendant's presence. I have verified that the specimen number on the form, the barcode, and the specimen seal are identical.

Re Pettit 9-11-14
Collector's Signature Date

Specimen Transfer Certification

I certify I prepared for transfer to Testing Laboratory the specimen identified by the specimen number on this form and have verified the identity of the specimen with its collection chain of custody documentation. I certify I applied the numbered security seal and barcode to the specimen bottle. I have verified the specimen number on the form, the barcode, and specimen security seal are identical.

Transferer's Signature Date

B02550902

Apply
Barcode
vertically
on bottle



Use second seal & barcode for
specimens screened on site.



B02550902

S

Testing Laboratory

Collector's Initials Date Collected

PLACE OVER
CAP OF
SPECIMEN

B02550902

SPECIMEN NO.



S

Security Seal
Federal Probation/Pretrial

COLLECTOR INSTRUCTIONS

- * COMPLETE - Specimen ID Information before collection
- * COLLECT - Specimen in accordance with Administrative Procedures
- * AFFIX - Security Seal and barcode to specimen bottle as illustrated above
- * ASK - Offender/Defendant to verify bottle was sealed in his/her presence
- * INITIAL - Initial security seal and enter date collected
- * ASK - Offender/Defendant to read, sign, and date Offender/Defendant Certification
- * SIGN - Specimen Collector Certification after sealing specimen bottle and applying security seal

9315286914

Form # 2004B